

07/23/01  
JC970 U.S. PTO

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# UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.  
55218-0511

## TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Ashar Aziz, et al., entitled APPROACH FOR DETERMINING AN AMOUNT TO BILL A CUSTOMER FOR THE USE OF RESOURCES for a(n):

( ) Original Patent Application.

(X) Continuing Application (prior application not abandoned):

( ) Continuation ( ) Divisional (X) Continuation-in-part (CIP)  
of prior application No: 09/502,170 Filed on: September 11, 2000.

(X) A statement claiming priority under 35 USC § 120 has been added to the specification.

### Enclosed are:

(X) Specification 66 Total Pages; (X) Drawing(s); 19 Total Sheets; (X) Cover Sheet 1 Page

(X) Oath or Declaration:

(X) A Newly Executed Combined Declaration and Power of Attorney:

(X) Signed. ( ) Unsigned. ( ) Partially Signed.

( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

( ) Power of Attorney.

(X) Return Receipt Postcard.

( ) Associate Power of Attorney.

(X) A Check in the amount of \$704.00 for the Filing Fee.

( ) Preliminary Amendment.

( ) Information Disclosure Statement and Form PTO-1449.

(X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

(X) A Duplicate Copy of this Form for Processing Fee.

( ) A Certified Copy of Priority Documents (if foreign priority is claimed).

(X) Applicant(s) is entitled to small entity status. See 37 CFR 1.27.

( ) Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.

(X) Other: Recordation Cover Sheet, Executed Assignment, and Fee Transmittal

11050 U.S. PTO  
09/911925  
07/23/01

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	41	21	\$9.00	\$ 189.00
Independent Claims	6	3	\$40.00	\$ 120.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$40.00
Basic Filing Fee				\$355.00
Total Filing Fee				\$ 704.00

Charge \$\_\_\_\_\_ to Deposit Account \_\_\_\_\_ pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to above deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

Edward A. Becker, Attorney of Record, Reg. No. 37,777

Date: July 23, 2001

### Correspondence Address:

Hickman Palermo Truong & Becker  
600 Willow Street,  
San Jose, California 95125-5106  
Phone: (408) 424-1080  
Fax: (408) 414-1076

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

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Washington, D.C. 20231

By:

Tirena Say

Typed Name: Tirena Say

Express Mail Label No.: EL734779726US

Date of Deposit: July 23, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001		Complete if Known	
Patent fees are subject to annual revision, Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 AND 1.28		Application Number	Not Yet Assigned
		Filing Date	July 23, 2001
		First Named Inventor	Ashar AZIZ, et al.
		Examiner Name	Not Yet Assigned
		Group/Art Unit	Not Yet Assigned
		Attorney Docket No.	55218-0511
TOTAL AMOUNT OF PAYMENT (\$)		704.00	

  

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																												
<p>1. <input checked="" type="checkbox"/> Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.</p> <p>Deposit Account Number: <span style="border: 1px solid black; padding: 2px;">50-1302</span></p> <p>Deposit Account Name: <span style="border: 1px solid black; padding: 2px;">Hickman Palermo Truong &amp; Becker, LLP</span></p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:  <input checked="" type="checkbox"/> Check    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other</p> <p>3. <input checked="" type="checkbox"/> Applicant(s) is entitled to small entity status. See 37 CFR 1.27</p>	<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee \$</th> <th>Fee Code</th> <th>Fee \$</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge – late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge – late provisional filing fee or cover sheet.</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Edward A. Becker	Registration No. (Attorney/Agent)	37,777
Signature		Telephone	(408) 414-1080
		Date	July 23 2001

**WARNING:**

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Ashar AZIZ, et al.
	Title	APPROACH FOR DETERMINING AN AMOUNT TO BILL A CUSTOMER FOR THE USE OF RESOURCES
	Atty. Docket Number	55218-0511

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 23, 2001

Date



Signature

Edward A. Becker, Reg. No. 37,777

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231**

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